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## VIA ECF

September 20, 2017

The Honorable Katherine Polk Failla  
Southern District of New York  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: Lester v. 9300 Realty Management Inc., et al.; Civil Case No. 1:17-cv-01033 (KPF)

Dear Judge Failla:

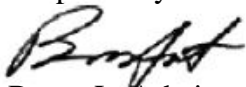
We represent Plaintiff Jacqueline Lester in connection with the above-referenced action. Pursuant to this Court's Order dated August 23, 2017 (Dkt. No. 29), we write to respectfully request that this case be restored to the active calendar since a settlement was not consummated. Specifically, the parties were unable to agree on the scope of the settlement agreement's non-disparagement and release of claims provisions.

Given that the parties were close to an agreement, we believe that a judicial settlement conference would be helpful in reaching a resolution on the outstanding issues. See Local Civil Rule 83.9(f) ("Judicial settlement conferences may be ordered by District Judges or Magistrate Judges with or without the request or consent of the parties."). Accordingly, we respectfully request that, in addition to or in lieu of scheduling a court conference to discuss remaining pretrial proceedings, the Court schedule a judicial settlement conference with all of the parties and their respective counsel. If possible, we respectfully request that the settlement conference be scheduled on or before September 30, 2017, as Defendant Steven Croman (and owner of the corporate Defendants) is scheduled to be sentenced on October 3, 2017 to a year in prison in connection with his guilty plea to three felonies for fraudulently refinancing loans and committing tax fraud.

We have conferred with Defendants' counsel on their availability next week. Plaintiff and counsel for all parties are available next week on Monday, Tuesday and Thursday, as well as Friday morning. However, Defendants' counsel has not heard back from one of the Defendants on whether he is also available on those dates.

We thank Your Honor for the Court's attention to this matter.

Respectfully submitted,



Bryan L. Arbeit